

Docket No. 00005.001217.PC
Date: October 27, 2008

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:

HIROSHI KASE, ET AL.

Application No.: 10/553,250

Filed: October 17, 2005

For: A METHOD OF TREATING AN ANXIETY DISORDER

Group Art Unit: 1617

Confirmation No. 6976

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated April 30, 2008 of the Primary Examiner finally rejecting claims 21 and 23-24.

The item(s) checked below are appropriate.

1. A Petition for a three month extension of time to respond to the final rejection, together with the \$1,110.00 extension fee under 37 C.F.R. §1.17, is being filed herewith.
 2. A Petition for an additional _____ month extension of time to take further action, together with the \$_____ extension fee under 37 C.F.R. §1.17, is being filed currently herewith.
 3. Fee \$540.00
- Fee \$270.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)
- Depository account payment.
- Not required (fee paid in prior appeal)



Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)

4. Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.
5. Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/Lawrence S. Perry/

Lawrence S. Perry
Attorney for Applicants
Registration No.: 31,865

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

LSP\ac

Form #67

FCHS_WS 2604154v1